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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,248	09/15/2003	Sean Timothy Crowley	AMKOR-036C	2413
7663	7590	03/10/2011	EXAMINER	
STETINA BRUNDA GARRED & BRUCKER			WEISS, HOWARD	
75 ENTERPRISE, SUITE 250				
ALISO VIEJO, CA 92656			ART UNIT	PAPER NUMBER
			2814	
			MAIL DATE	DELIVERY MODE
			03/10/2011	PAPER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SEAN TIMOTHY CROWLEY, ANGEL ORABUENA
ALVAREZ, and JUN YOUNG YANG

Appeal 2009-012782
Application 10/662,248
Technology Center 2800

Before MAHSHID D. SAADAT, ROBERT E. NAPPI,
and ELENI MANTIS MERCADER, *Administrative Patent Judges*.

MANTIS MERCADER, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the final rejection of claims 14-31. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

INVENTION

Appellants' Figure 6 is depicted below:

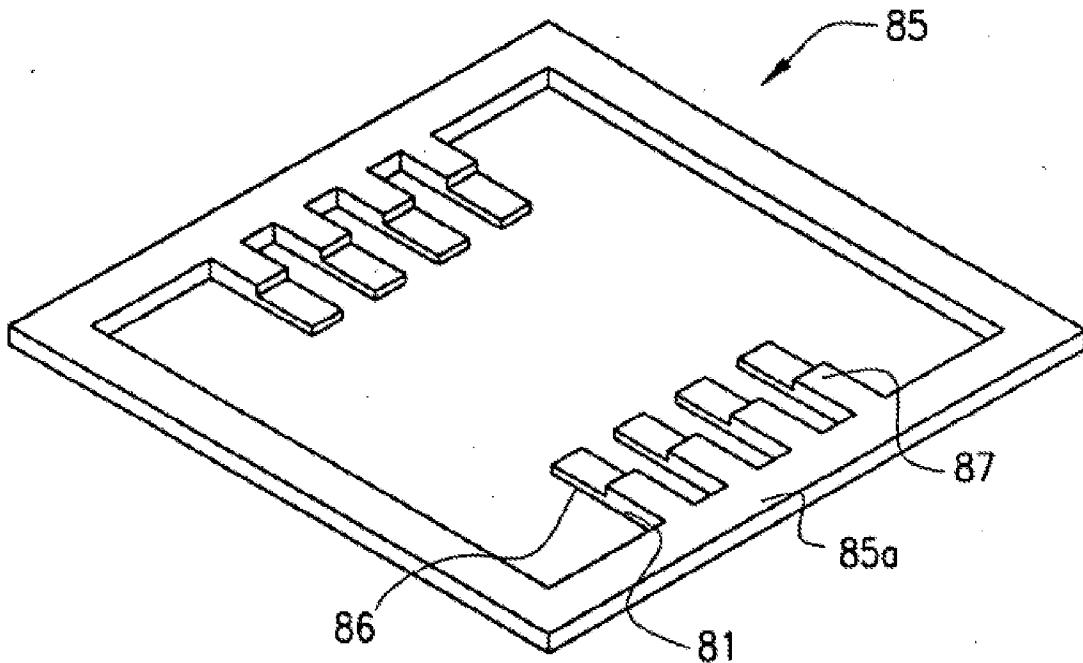


FIG. 6

Appellants' Figure 6 and the claimed invention are directed to a leadframe 85 having leads 81 connected to each other via a tie bar 85a located on the outer perimeter of leadframe 85. Leads 81 are placed parallel

and apart from each other on opposite sides of leadframe 85. Each one of the leads 81 has an inwardly extending member 86 and an upwardly extending member 87. The inwardly extending member 86 extends towards the middle of the semiconductor package 80 to support the semiconductor chip 82. *See* Fig. 6; Spec. 10-11.

The semiconductor package can fit circuit chips of different sizes without changing the semiconductor package's footprint. *See* Spec. 3.

Claim 24, reproduced below, is representative of the subject matter on appeal:

24. A leadframe comprising:

- a peripheral tie bar; and
- a plurality of leads extending from the tie bar in isolation from each other and segregated into two sets, the leads of each set being linearly aligned and arranged in spaced, generally parallel relation to each other such that each of the leads of one set extends in opposed relation to a respective one of the leads of the remaining set, each of the leads defining:
 - opposed, generally planar top and bottom sides;
 - an inner end; and
 - a notched surface which is disposed in opposed relation to the bottom side and extends to the inner end;
 - each of the leads having a first thickness between the top and bottom sides which exceeds a second thickness between the bottom side and the notched surface.

THE REJECTIONS

The Examiner relies upon the following as evidence of unpatentability:

Asano	US 5,929,513	Jul. 27, 1999
Lee	US 6,157,074	Dec. 5, 2000
Huang	US 6,414,385 B1	Jul. 2, 2002

The following rejections are before us for review:

1. The Examiner rejected claims 24-31 under 35 U.S.C. § 102(b) as being anticipated by Asano.
2. The Examiner rejected claims 14-23 under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Huang.

ISSUES

The pivotal issues are:

1. whether Asano's *inner leads* extend *from the tie bar in isolation* from each other, and are spaced, *generally in parallel relation to each other* as recited in representative claim 24; and
2. whether Lee's leads extend in spaced, generally parallel relation to each other as recited in representative claim 14.

PRINCIPLE OF LAW

Although claims are interpreted in light of the specification, limitations from the specification are not read into the claims. *In re Van Geuns*, 988 F.2d 1181, 1184 (Fed. Cir. 1993).

ANALYSIS

Analysis with respect to the rejection of claims 24-31 under 35 U.S.C. § 102(b) as being anticipated by Asano.

Appellants first argue (App. Br. 6) that Asano's inner leads 33 of each set are each integrally connected to a respective, common connecting portion 44, and thus, they do not extend in isolation from each other. In response the Examiner explains (Ans. 8-9) that when the common connected structure

44 in Asano is removed, the leads 33 are isolated from each other. Appellants characterize the Examiner's reasoning as flawed (App. Br. 6) because the removal of connecting portion 44 converts the leadframe 32 into a semiconductor package subassembly which is no longer a leadframe per se.

We are not persuaded by Appellants' arguments.

We agree with the Examiner (Ans. 8) that Asano's removal of the common connecting portion 44 isolates each of the leads 33 which extend from the tie bar 43 (Fig. 3B). We also agree with the Examiner (Ans. 8-9) that merely removing the connecting portion 44 or adding a head spreader to the leadframe does not fundamentally change the structure of the leadframe. The Examiner relies (Ans. 8) on the explicit statement in Asano, wherein the semiconductor device has a leadframe 32 (col. 5, ll. 14-15). In other words, just because the leadframe is a part of the semiconductor device, it does not change from being a leadframe. We further note that Appellants' own Specification refers to the *leadframe* even after it becomes part of the semiconductor package (Spec. 12:7-9).

Appellants further argue (App. Br. 9) that leads 33 are not linearly aligned and arranged in spaced, generally parallel relation to each other due to the fact that leads 33 are bent at different angles. The Examiner responds that the claim does not require that the *entire* length of the leads be in parallel, and thus, Asano's inner portion leads 33a read on the claim limitations. We agree with the Examiner's reasoning that limitations from the Specification are not read into the claims. *See Van Geuns*, 988 F.2d at 1184.

We further note that representative claim 24 recites the term “*generally parallel*,” (emphasis added) and thus, even if the leads are at an angle, relative to each other, they are *generally parallel* because they do not cross each other. Thus, we are not persuaded by Appellants’ argument (App. Br. 9-10) that the claims do not recite *at least portions of the leads* are linearly aligned and arranged in generally parallel relation to each other, thereby claiming the whole leads being in parallel relation to each other. Claim 24 recites “*generally parallel*,” and thus, the claim does not preclude portions of those leads being bent.

Thus, we will sustain the Examiner’s rejection of representative claim 24 and claims 25-31, which fall with claim 24 as no additional arguments of patentability were presented with respect to these claims.

Analysis with respect to the rejection of claims 14-23 under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Huang.

Appellants argue (App. Br. 13) that Lee’s leads 6 are not generally parallel in relation to each other but instead they are bent at different angles. The Examiner responds (Ans. 12-13) that the claim does not require that the *entire* length of the leads be in parallel, and thus, Lee’s inner leads 6 or outer leads 7 (i.e., Figs. 5, 7) read on the claim limitations. We agree with the Examiner’s reasoning that limitations from the Specification are not read into the claims. *See Van Geuns*, 988 F.2d at 1184.

We further note that representative claim 14 recites the term “*generally parallel*,” (emphasis added) and thus, even if the leads are at an angle, relative to each other they are *generally parallel* because they do not cross each other. Thus, we are not persuaded by Appellants’ argument (App. Br. 13-14) that the claims do not recite *at least portions of the leads*

are linearly aligned and arranged in generally parallel relation to each other, thereby claiming the whole leads being in parallel relation to each other.

Claim 14 recites “generally parallel,” and thus, the claim does not preclude portions of those leads being bent.

Thus, we will sustain the Examiner’s rejection of representative claim 14 and claims 15-23, which fall with claim 14 as no additional arguments of patentability were presented with respect to these claims.

CONCLUSIONS

1. Asano’s *inner leads* extend *from the tie bar in isolation* from each other, and are spaced, *generally in parallel relation to each other* as recited in representative claim 24.

2. Lee’s leads extend in spaced, generally parallel relation to each other as recited in representative claim 14.

ORDER

The decision of the Examiner to reject claims 14-31 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(v).

AFFIRMED

babc

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